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Applicants:	Greenberg, et al.	Art Unit:	3766
Application No.:	10/820,240	Examiner:	J.L. Reidel
Filed:	April 6, 2004	Confirmation No.:	7467
Docket No.:	S293-USA		
Customer No.:	28284		

For: Retinal Prosthesis with Side Mounted Inductive Coil

Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

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On April 5, 2007.

Deanna L. Fintz

LETTER REGARDING RESPONSE TO NOTICE OF ALLOWABILITY

Dear Sir:

In response to the Notice of Allowability mailed January 16, 2007, Item 1, enclosed is a newly executed Declaration respectfully submitted. The Declaration is executed by all of the inventors:

Robert J. Greenberg
Da-Yu Chang
Rajat Agrawal
Brian V. Mech
Mark S. Humayun
James Singleton Little
Kevin Wilkin

Applicants submit that the enclosed declaration replaces the declaration filed October 16, 2006. The declaration filed October 16, 2006 was not signed by the inventors Rajat Agrawal and Mark S. Humayun, who signed the original Declaration filed April 6, 2004.

It has been found that the Declaration as filed on October 16, 2006, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this

Application No. 10/820,240

application has been corrected by submitting the appropriate Declaration. The application is now in compliance with 37 CFR 1.48(a).

Regarding Item 2 of the Notice of Allowability, Applicants agree with Examiner's amendment in claims 10, 15, 36, 41, 44 and 45.

The patent application is now in condition of issuance with claims 10, 15, 36, 41-42 and 44-45.

Respectfully submitted,

April 5, 2007

Date

Tomas Lendvai

Tomas Lendvai, Ph.D.

Reg. No. 57,488

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Sylmar CA 91342

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DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)☐ Declaration
Submitted
With Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	S283-USA
First Named Inventor	Greenberg, et al.
COMPLETE IF KNOWN	
Application Number	10/820,240
Filing Date	April 6, 2004
Art Unit	3766
Examiner Name	Jessica L. Reidel

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RETINAL PROSTHESIS WITH SIDE MOUNTED INDUCTIVE COIL

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) April 6, 2004 as United States Application Number or PCT International

Application Number 10/820,240 and was amended on (MM/DD/YYYY) 2/1/06; 4/19/06 & 11/6/06 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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Name

Address

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State

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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

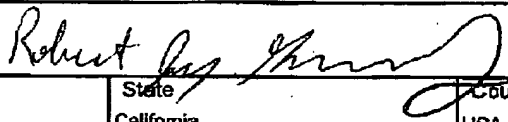
Given Name (first and middle (if any))

Family Name or Surname

Robert J.

Greenberg, M.D., Ph.D.

Inventor's Signature



Date

3/5/07

Residence: City

Los Angeles

State

California

Country

USA

Citizenship

US

Mailing Address

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City

Los Angeles

State

California

Zip

90068

Country

USA



Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

[Page 2 of 2]

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DECLARATION**ADDITIONAL INVENTOR(S)**

Supplemental Sheet

Page 2 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Da-Yu		Chang	
Inventor's Signature <i>Da-Yu Chang</i>		Date 2007/03/06	
Rowland Heights Residence: City	California State	USA Country	Taiwan Citizenship
18559 E. Stonegate Lane			
Mailing Address			
Rowland Heights City	California State	91748 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Rajrat		Agnewal	
Inventor's Signature		Date	
Redlands Residence: City	California State	USA Country	India Citizenship
77 Price Street, Unit D			
Mailing Address			
Redlands City	California State	92373 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Brian V.		Mech, Ph.D.	
Inventor's Signature		Date	
Stevenson Ranch Residence: City	California State	USA Country	Canada Citizenship
25061 Riverwalk Lane			
Mailing Address			
Stevenson Ranch City	California State	91381 Zip	USA Country

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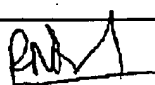
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Page 2 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Da-Yu		Chang	
Inventor's Signature		Date	
Rowland Heights Residence: City	California State	USA Country	Taiwan Citizenship
18558 E. Stonegate Lane Mailing Address			
Rowland Heights City	California State	91748 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Rajat		Agrawal	
Inventor's Signature 		Date 3/5/07	
Redlands Residence: City	California State	USA Country	India Citizenship
77 Price Street, Unit D Mailing Address			
Redlands City	California State	92373 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Brian V.		Mech, Ph.D.	
Inventor's Signature		Date	
Stevenson Ranch Residence: City	California State	USA Country	Canada Citizenship
25081 Riverwalk Lane Mailing Address			
Stevenson Ranch City	California State	91381 Zip	USA Country

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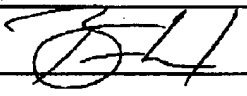
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Da-Yu		Chang	
Inventor's Signature		Date	
Rowland Heights Residence: City	California State	USA Country	Taiwan Citizenship
18559 E. Stonegate Lane Mailing Address			
Rowland Heights City	California State	91748 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Rajet		Agrawal	
Inventor's Signature		Date	
Redlands Residence: City	California State	USA Country	India Citizenship
77 Price Street, Unit D Mailing Address			
Redlands City	California State	92373 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Brian V.		Mech, Ph.D.	
Inventor's Signature		Date	
		2/28/07	
Stevenson Ranch Residence: City	California State	USA Country	Canada Citizenship
26081 Riverwalk Lane Mailing Address			
Stevenson Ranch City	California State	91381 Zip	USA Country

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet

Page 1 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Mark S.		Humayun, M.D., Ph.D.	
Inventor's Signature <i>[Signature]</i>		Date 3/26/07	
Glendale Residence: City	California State	USA Country	US Citizenship
2757 Sleepy Hollow Place			
Mailing Address			
Glendale City	California State	91206 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James Singleton		Little	
Inventor's Signature		Date	
Saugus Residence: City	California State	USA Country	US Citizenship
21574 Agapanian Lane			
Mailing Address			
Saugus City	California State	91350 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kevin		Wildn	
Inventor's Signature		Date	
Valencia Residence: City	California State	USA Country	US Citizenship
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Mailing Address			
Valencia City	California State	91355 Zip	USA Country

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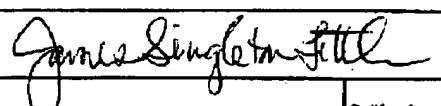
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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>2</u>
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Mark S.		Humayun, M.D., Ph.D.	
Inventor's Signature		Date	
Glendale Residence: City	California State	USA Country	US Citizenship
2757 Sleepy Hollow Place Mailing Address			
Glendale City	California State	91206 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James Singleton		Little	
Inventor's Signature 		Date <u>2-28-2007</u>	
Saugus Residence: City	California State	USA Country	US Citizenship
21674 Agajanian Lane Mailing Address			
Saugus City	California State	91350 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kevin		Wilkin	
Inventor's Signature		Date	
Valencia Residence: City	California State	USA Country	US Citizenship
24690 Golfview Drive Mailing Address			
Valencia City	California State	91355 Zip	USA Country

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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Mark S.		Humayun, M.D., Ph.D.	
Inventor's Signature		Date	
Glendale Residence: City	California State	USA Country	US Citizenship
2757 Sleepy Hollow Place Mailing Address			
Glendale City	California State	91205 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James Singleton		Little	
Inventor's Signature		Date	
Saugus Residence: City	California State	USA Country	US Citizenship
21874 Agajanian Lane Mailing Address			
Saugus City	California State	91350 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kevin		Walkin	
Inventor's Signature		Date <u>3-2-07</u>	
Valencia Residence: City	California State	USA Country	US Citizenship
24890 Golfview Drive Mailing Address			
Valencia City	California State	91355 Zip	USA Country

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